



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Excerpts of Concluding Observations and Recommendations from UN Treaty Bodies and Special Procedures' Reports

- Universal Periodic Review:

PERU

We would like to bring your attention to the following Treaty Body Concluding Observations and Special Procedures' reports relating to issues of interest and concern to UNHCR with regards to Peru.

1. Treaty Body Concluding Observations and Recommendations

CEDAW/C/PER/CO/6

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN, 37th Session

2 February 2007

32. The Committee notes with concern the large number of women, particularly indigenous and rural women, who do not have any documentation registering their births and consequently cannot claim nationality and social benefits in the State party.

33. The Committee encourages the State party to expedite and facilitate the process of registration of women without documentation and issue birth certificates and identity documents. The Committee urges the State party to establish concrete goals and timetables for these women to be able to document their nationality, particularly in the rural areas, and provide information on the progress achieved in its next report.

CAT/C/PER/CO/4

COMMITTEE AGAINST TORTURE, 36th Session

25 July 2006

9. The Committee takes note of the adoption of the Refugee Protection Act in December 2002, incorporating the right to non-refoulement as provided for in the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees, which reinforces the fulfilment of obligations under article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

CRC/C/PER/CO/3

COMMITTEE ON THE RIGHTS OF THE CHILD, 41st Session

14 March 2006

33. The Committee appreciates the considerable efforts demonstrated by the State party towards achieving birth registration for all children. However, the Committee is concerned that there are still about 15 per cent of Peruvian children who are not properly inscribed in the Civil Registry System, mostly children in rural and remote areas of the country.

34. The Committee reiterates its previous recommendation and urges the State party to make a priority of the immediate registration of the births of all children and to promote and facilitate the registration of those children who were not previously registered at birth, in light of article 7 of the Convention. In particular, the State party should modernize and ensure the proper operation and maintenance of the Registrar's Office, including by providing it with the necessary financial resources, qualified and well-trained staff and making the system more accessible throughout the country.

2. Special Procedures Reports

A/HRC/18/30/Add.2

HUMAN RIGHTS COUNCIL, 18th Session

Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian, Addendum

15 August 2011

53. During her visit, the Special Rapporteur became aware of the extent to which Peru is affected by internal trafficking in human beings for both labour and sexual exploitation, as well as of the significant efforts made by the Government to fight against that phenomenon. She holds the view, however, that despite the multi-sectoral approach taken by the Government to address the issue of trafficking in persons, the absence of facts and figures about persons trafficked for forced labour and other forms of labour exploitation shows that the existing legal framework and overall enforcement are insufficient. In that respect, the Special Rapporteur notes that of the 356 cases of trafficking affecting 885 victims reported in the RETA-PNP (see paragraph 30 above) for the period from January 2004 to February 2011, only 78 cases were prosecuted for sexual exploitation and 9 people convicted. She also notes that the majority of programmes and initiatives at different levels of Government focus on trafficking for sexual exploitation, which explains the absence of prosecution in cases relating to labour exploitation, such as the 49 cases relating to allegations of labour exploitation registered in the RETA-PNP.

54. During her visit, the Special Rapporteur was informed on positive measures taken to eradicate contemporary forms of slavery and on various initiatives of cooperation that illustrate the commitment of the Government and other stakeholders to realize human rights in the context of the elimination of contemporary forms of slavery. Of both those achievements and initiatives, she wishes to highlight a non-exhaustive list of measures already taken, as well as some promising measures.

57. The Special Rapporteur also notes the creation in 2010 of the General Directorate of Fundamental Rights, Health and Safety, a body responsible for formulating policies and whose functions are aimed at, inter alia, the eradication of forced and child labour. She further notes with appreciation the creation of the Division to Combat Trafficking in Persons in the Criminal Investigation Directorate of the National Police, which works with the special labour inspection unit to combat forced labour on complaints lodged over the phone line established for that purpose by the Ministry of the Interior concerning trafficking in persons for the exploitation of their labour.

64. The Special Rapporteur was informed that many children still lack proper birth registration, a concern that was similarly raised by the Committee on the Rights of the Child, which estimated in 2006 that 15 per cent of children were not properly registered in the Civil Registry System, mostly in rural and remote areas of the country. While noting the efforts made by the Government, which have led to a decrease in the percentage of unregistered children, the Special Rapporteur wishes to highlight that, without the recognition of identity assigned by birth registration, a child risks not only statelessness, but is also placed in an extremely vulnerable position, since children without identification documents have no access to any of the services, including education and health, and are at risk of becoming victims of trafficking for sexual or labour exploitation.

73. The Special Rapporteur recommends that the Government of Peru:

(a) Ratify, as a matter of priority, the 1926 Slavery Convention as amended by the 1953 Protocol, and the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;

77. As a preventive measure to prevent children from falling into the worst forms of child labour, domestic servitude and economic exploitation, the Special Rapporteur also recommends that the Government:

(b) Ensure that the National Registry of Identification and Civil Status and its regional and municipal offices take effective measures to register and issue identity documents to all children, especially those working and who are at risk of abuse or exploitation;

(c) Take effective measures to ensure that children under the age of 18 years are not recruited into the military force or into armed groups, in accordance with international standards, and closely monitor the ways and means by which the age of recruitment is verified.

- End of excerpts -

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